IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO. 571 OF 2003

In the matter of Companies Act, 1956.

Hitkari Fibres Ltd. .... Petitioner.

vs.

Bombay Dyeing & Manufacturing Company Ltd., .. Respondent.

Shri R.M. Kadam i/by Mahesh Menon & Co. for petitioner.

Shri D.V. Merchant i/by Desai & Diwanji & Co. for Company.

..

CORAM : S.U. KAMDAR, J.

DATE : 14th January, 2005.

P.C.

1. The present petition is filed for winding up under section 433 and 434 of the Companies Act,

1956. The defence raised is of limitation. I find from the details set out in particulars of claim that there is a substance in the defence. In view of the bonafide dispute, the petition is dismissed.